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8884.00

functions, when later actuated by the first user; and

ii) allowing a second user to program a second set of buttons to perform a second set of functions, different from the first set, when later actuated by the second user.

REMARKS

This Amendment is submitted in response to the Decision on Appeal mailed on March 24, 2006.

Claims 1 - 10, 21, 22, and 24 - 41 are pending, with all claims allowed by the Board, except claims 1 and 24, which are newly rejected based on Cragun.

Claims 1 and 24 have been amended to recite the presence of push buttons. Cragun does not show that, but instead shows tactile markers 31 - 33 having Braille writing.

SUPPORT FOR AMENDMENTS

Support for the following recitations in the amendments are found in the Specification at the following locations.

- Recitation of push buttons - page 6, line 7.
- Recitation of extending through surface - page 2, bottom.

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-- Recitation of lack of display - page 5,
lines 5 and 6.

-- Recitation of depressable push button -
page 6, line 24.

COMMENT 1

Some claims state that the user can program the function which a push button performs. That is not seen in Cragun.

COMMENT 2

It could be argued that Cragun shows "push buttons" in the sense that he shows labels 31 - 33, which are pressed. It could be argued that the labels are "buttons" and, since they are pressed, they are "pushed" "buttons," or "push buttons."

However, Applicant submits that most, if not all, definitions of the term "push" include a concept of motion. Cragun's labels 31 - 33 do not move, because they are attached to a glass screen 30.

Further, Applicant's Specification, page 2, line 19, refers to a "push button, a key, or such like." Applicant submits that this implies a movable button. Further, the Specification, page 6, line 24 refers to a "push button being depressed." That clearly refers to a movable button.

Applicant therefore offers to add the recitation of "movable"


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to the added terms "push buttons," if the Examiner so requests.

CONCLUSION

Applicant requests that the rejections to the claims be reconsidered and withdrawn.

Respectfully submitted,



Gregory A. Welte
Reg. No. 30,434

NCR Corporation
1700 South Patterson Blvd.
WHQ - 4
Dayton, OH 45479
May 24, 2006
(937) 445 - 4956

WELTE DIRECT: (765) 296 - 4699

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Christian L. Struble

Serial No.: 09/894,213

Filed: June 27, 2001

Group Art Unit: 3622

Examiner: Alvarez, Raquel

Docket No. 10010610-1

For: **System and Method for Controlling the Presentation of Advertisements**

RESPONSE TO NOTIFICATION OF "NON-COMPLIANT" APPEAL BRIEF

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Notification of Non-Compliant Amendment mailed April 25, 2006 has been carefully considered. Applicant submits this Response to the Notification.

It is not believed that extensions of time or fees are required to consider this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

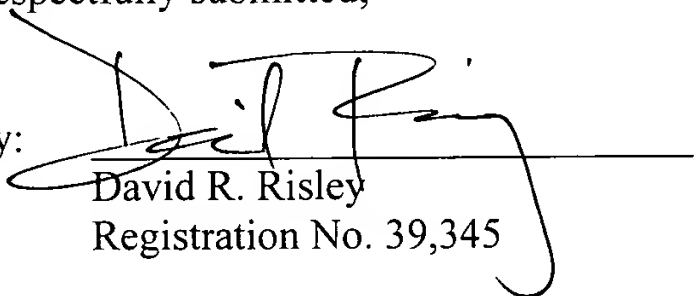
REMARKS

It appears that the comments provided by the Board of Patent Appeals and Interferences in the Order Returning Undocketed Appeal to Examiner are directed at the Examiner's Answer and not Applicant's Appeal Brief. In light of that fact, the comments in the Order do not appear to apply to the Applicant's Brief. Accordingly, Applicant has not made the various changes requested in the Notification of Non-Compliant Appeal Brief.

If there are questions about this matter, the undersigned attorney may be contacted at (770) 933-9500.

Respectfully submitted,

By:


David R. Risley
Registration No. 39,345

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, with sufficient postage, addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA,
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